

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 18TH DECEMBER 2007 / 27TH AGRAHAYANA 1929

WP(C).No. 37628 of 2007(D)

PETITIONER:

ANLALATH CHALIKANDY PEEDIKAYIL.
S/O.K.N.CHEKKUTTY, RAMLA MANZIL, MANAKAYI,
POST KAYANI, KANNUR 670 702.

BY ADV. SRI.V.B.UNNIRAJ
SMT.R.S.GEETHA
SRI.V.ARUN

RESPONDENTS:

1. GOVERNMENT OF KERALA, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM, REPRESENTED BY
ITS CHIEF SECRETARY.
2. THE DIRECTOR OF HIGHER SECONDARY
EDUCATION, HOUSING BOARD BUILDINGS, SANTHI NAGAR,
THIRUVANANTHAPURAM.
3. THE REGIONAL DEPUTY DIRECTOR, HIGHER
SECONDARY EDUCATION, PARAPPIL, KOZHIKODE.

BY GOVERNMENT PLEADER, SRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 18/12/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C) No. 37628 of 2007(D)

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Dated this the 18th day of December, 2007

JUDGMENT

The petitioner is the holder of a B.Ed degree obtained from the Indira Gandhi National Open University under the Distance Education Programme. He was appointed as Higher Secondary School Teacher in M.M. Higher Secondary School, Thalassery which is an aided school based on that qualification. His services were provisionally approved upto 6.6.2008 subject to the petitioner acquiring B.Ed qualification. Petitioner obtained the above B.Ed qualification within the said period. The petitioner's complaint is that the respondents are not approving the appointment on the ground that the B.Ed acquired by the petitioner is not in the concerned subject and the B.Ed was not acquired after a regular course of study. The petitioner submits that as far as the question as to whether the B.Ed degree granted by the Indira Gandhi National Open University can be accepted as valid qualification, the issue is squarely covered by a Division

Bench decision reported in **State of Kerala and another v. Suja Kumari and Another** (2006(1) ILR 431). The petitioner contends that the petitioner's subject is Social Work and there is no University in India which grants the degree in B.Ed on the subject of Social Work and therefore the petitioner's degree is sufficient for the purpose of regularisation of the petitioner's appointment. Seeking these reliefs the manager has forwarded Ext.P6 to the 3rd respondent. The petitioner seeks a direction to the 3rd respondent to forward the same to the 2nd respondent and a further direction to the 2nd respondent to consider and dispose of Ext.P6 expeditiously.

2. I have heard the learned Government Pleader also. In the facts and circumstances of the case, there would be a direction to the 3rd respondent to forward Ext.P6 to the 2nd respondent forthwith. The 2nd respondent shall pass final orders on Ext.P6 within six weeks from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

**S.SIRI JAGAN,
JUDGE**

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